

PROCEEDINGS

House of Representatives.
THURSDAY, May 11, 1854.

[In continuation.]
Mr. WENTWORTH, of Illinois. I wish to make a suggestion.
[Cries of "I object!"]
Mr. WENTWORTH. When gentlemen know my proposition, I shall have no more to object.

Mr. TWEED. I object to discussion.
Mr. WENTWORTH. A few moments ago we were all excluded, with one exception, unanimously.

The SPEAKER. Objection has been made to the gentleman's proceeding, and he must come to order.

Mr. WENTWORTH. The gentleman knew my object, I know that he would not object. It is to do an act of justice to a gentleman on his own side of the House.

The SPEAKER. The gentleman must come to order.

Mr. WENTWORTH. A correction of the journal is a privileged question, and I am entitled to be heard on it.

The SPEAKER. The gentleman must come to order. The question is now on the motion that there be a call of the House, and it must be taken.

Mr. WENTWORTH. Time would be saved, and it would be better if the correction I propose were made now, before the journal is made up.

Mr. TWEED. I insist on my objection.
The SPEAKER. The Clerk will proceed with the call of the roll.

The question was then taken on the motion of Mr. WENTWORTH, of Massachusetts; and it was decided in the affirmative, yeas 45, nays 33.

So the House refused to order a call of the House.

Pending the above call—
Mr. FENTON moved that he had paired off for a short time with Mr. MAY.

Mr. PECK. I move that this House adjourn, it adjourn to meet on Monday next; and on that motion I call for the yeas and nays.

Mr. GREEN. I ask for tellers on the yeas and nays.

Mr. DEAN. I rise to a question of order.

The SPEAKER. The gentleman will state his question of order.

Mr. DEAN. It is that the hour of 12 o'clock having arrived, the Journal of the preceding day is to be read.

The SPEAKER. The Chair will decide the question of order raised by the gentleman from New York. One of the principal rules having a bearing upon this point is the following, touching the duties of the Speaker:

"He shall take the chair every day precisely at the hour to which the House shall have adjourned on the preceding day."

The Chair has done that and has no authority now to declare the House adjourned for the purpose of taking the chair at the time to which he may determine the Chair must insist on the gentleman's desisting from doing so.

Mr. BARKS. Most assuredly. I only ask the consent of the House.

The SPEAKER. The question now is on excluding the gentleman from New York [Mr. SAGE] from voting on the appeal.

Mr. GOODRICH. I ask for the yeas and nays.

Mr. GREEN. I ask for tellers on the yeas and nays.

Tellers were ordered, and Messrs. STRAUB and SAGE were appointed.

The yeas and nays were ordered.

The yeas and nays were then taken; and there were—yeas 57, nays 33.

So the House refused to exclude Mr. SAGE.

Mr. DRUM stated that he had paired off until noon with Mr. BARTY, of Virginia.

Mr. CAMPBELL. I just came into the House, and do not quite understand the question, and I should, therefore, like to be excused from voting on the appeal.

The SPEAKER. If there be no objection, the gentleman from Ohio will be excused.

Mr. WHEELER. I object.

Mr. FARLEY. I move that the gentleman from Ohio be excused.

Mr. SAGE. I demand the yeas and nays on that motion.

Mr. WENTWORTH, of Massachusetts. I ask for tellers on the yeas and nays.

Tellers were ordered; and Messrs. BOGOC and FENTON were appointed.

The yeas and nays were ordered.

The yeas and nays were then taken; and there were—yeas 45, nays 33.

So the House refused to exclude Mr. CAMPBELL from voting.

Mr. HENRY. I ask to be excused from voting on the question of the appeal.

Mr. WENTWORTH, of Massachusetts. I ask for the yeas and nays.

The question was then taken; and there were—yeas 45, nays 33.

So the House refused to exclude Mr. HENRY from voting.

Mr. TRACY was not excused.

One of the three hundred and sixty-five days of the year has passed over, the Chair admits, and he one of the legislative days allowed to this Congress is now being consumed.

In this view—hastily taken—the Chair admits, for he has not had time to turn to precedents, but the Chair thinks he is correct, and he overrules the question of order. From that decision of the Chair, the gentleman from Massachusetts takes an appeal, and the House divides on the appeal. [Mr. HAMILTON] moves to lay the appeal upon the table. Another question pending is that raised by the gentleman from New York, [Mr. SAGE] viz: that the House exclude him from voting upon the appeal. That is a legitimate proposition, but the vote must be taken on it without debate.

Mr. CULLOM. I understand the Chair to decide that, an entire session of the House is but one legislative day, even though it may continue for a week, and some of my neighbors are a little curious to know whether we shall get only one *per diem* for the entire session. [Laughter.] I object to the decision of the Speaker on that point.

The SPEAKER. The gentleman cannot debate the proposition. The Chair decides that it is not competent for him to adjourn the House.

Mr. BARKS. I understand that the appeal is not debatable.

The SPEAKER. It is not debatable.

Mr. BARKS. But, as the Chair has made a ruling, an entire session of the House is but one legislative day, that decision, whether it be proper, or within the generosity of the House, that upon the appeal I have taken, I should make a brief statement.

Messrs. ENGLISH, OLDS, and BRIDGES rose simultaneously, and objected.

Mr. SEYMOUR. Will the Chair allow me to make a single suggestion?

The SPEAKER. It is the pleasure of the House that the gentleman from Connecticut be heard.

Mr. ENGLISH. I object, and call for the question.

Mr. BARKS. Will the House allow me to call its attention to a precedent upon this very question.

Mr. HOUSTON. We understand the question.

Mr. HUGHES. I call the gentleman from Alabama to order.

Mr. RICHARDSON. And I call the gentleman from New York to order.

[Shouts of "Order!" and great confusion.]

The SPEAKER. Gentlemen are not in order in discussing this question, directly or indirectly.

Mr. BARKS. I again call the attention of the House to make a reference to this one precedent.

Mr. RICHARDSON. And again call the gentleman from New York to order.

The SPEAKER. The Chair must remind the gentleman from Massachusetts of the fact, of which he is very well aware, that it is not in order to persist in a purpose to address the House until he determines that the Chair must insist on the gentleman's desisting from doing so.

Mr. BARKS. Most assuredly. I only ask the consent of the House.

The SPEAKER. The question now is on excluding the gentleman from New York [Mr. SAGE] from voting on the appeal.

Mr. GOODRICH. I ask for the yeas and nays.

Mr. GREEN. I ask for tellers on the yeas and nays.

Tellers were ordered, and Messrs. STRAUB and SAGE were appointed.

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The yeas and nays were then taken; and there were—yeas 57, nays 33.

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Mr. CAMPBELL. I just came into the House, and do not quite understand the question, and I should, therefore, like to be excused from voting on the appeal.

The SPEAKER. If there be no objection, the gentleman from Ohio will be excused.

Mr. WHEELER. I object.

Mr. FARLEY. I move that the gentleman from Ohio be excused.

Mr. SAGE. I demand the yeas and nays on that motion.

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The yeas and nays were then taken; and there were—yeas 45, nays 33.

So the House refused to exclude Mr. CAMPBELL from voting.

Mr. HENRY. I ask to be excused from voting on the question of the appeal.

Mr. WENTWORTH, of Massachusetts. I ask for the yeas and nays.

The question was then taken; and there were—yeas 45, nays 33.

So the House refused to exclude Mr. HENRY from voting.

Mr. TRACY was not excused.

So the House refused to adjourn.

The SPEAKER. The question now recurs on laying the appeal from the decision of the Chair upon the table.

Mr. PECK. I move that there be a call of the House, and upon that motion I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and decided in the affirmative—yeas 57, nays 33.

So the House refused to call.

The SPEAKER. The question recurs on laying the appeal from the decision of the Chair upon the table.

Mr. FENTON. Mr. Speaker, I move that when the House adjourns, it adjourn to meet on Monday next; and on that motion I call for the yeas and nays.

Tellers were called for, and ordered.

Mr. PENNINGTON. I hope the gentleman from New York will withdraw his motion for an adjournment.

Mr. PENNINGTON. For what purpose?

Mr. PENNINGTON. For the purpose of allowing me to submit a motion to go to the business on the Speaker's table, if that motion be in order.

Mr. BARKS. It is not in order.

Mr. PENNINGTON. And if that motion, Mr. Speaker, be not in order, then for the purpose of moving to suspend the rules to enable me to make it.

Mr. WENTWORTH, of Illinois. That motion is not in order, either; you cannot suspend the rules to order the yeas and nays on the motion to adjourn.

The SPEAKER. It is not in order to suspend the rules, except on Monday.

Mr. PENNINGTON. This business is getting to be very stupid. We are to be doing something for the sake of variety.

Messrs. COX and FENTON were appointed tellers on ordering the yeas and nays on the motion to adjourn.

The House was divided; and the tellers reported forty in the affirmative; (a sufficient number.)

So the yeas and nays were ordered.

The yeas and nays were then taken; and it was decided in the negative—yeas 33, nays 57.

So the House refused to adjourn.

The question recurred on the motion to lay the appeal from the decision of the Chair on the table.

Mr. GOODRICH. I move that the House resolve itself into a Committee of the Whole on the private calendar; and on that motion I ask the yeas and nays.

Mr. BARKS. Mr. Speaker, I desire to withdraw my motion in relation to the question of appeal, the appeal was made at my suggestion; and I understand, since the appeal was taken, that—

[Cries of "Order!" "Order!"]

Mr. BARKS. I only propose to withdraw my appeal.

Mr. HILLIER. But the gentleman has no right to debate it.

Mr. BARKS. I was but proceeding to state that the House was to resolve itself into a Committee of the Whole on the private calendar, on which the yeas and nays were demanded—

Mr. WASHBURN, of Illinois. I ask for tellers on ordering the yeas and nays.

Tellers were ordered; and Messrs. COX, and WASHBURN, of Illinois, were appointed.

The House was divided; and the tellers reported thirty-nine in the affirmative; (a sufficient number.)

So the yeas and nays were ordered.

The question was then taken; and decided in the negative—yeas 34, nays 53.

So the House refused to resolve itself into a Committee of the Whole on the private calendar.

The SPEAKER. The question recurs on excluding the gentleman from Maine [Mr. WASHBURN] from voting on the appeal.

Mr. WASHBURN, of Illinois, (at thirty-five minutes past two o'clock, p. m.) I move that the House do now adjourn; and I call for the yeas and nays on that proposition.

Mr. WALKER. I demand tellers on ordering the yeas and nays.

Tellers were ordered; and Messrs. WASHBURN, of Illinois, and HILLIER were appointed.

The question was taken; and the tellers reported thirty-seven in the affirmative, (a sufficient number.)

So the yeas and nays were ordered.

The question was then taken; and decided in the negative—yeas 34, nays 53.

So the House refused to adjourn.

The question recurred on the motion of Mr. GOODRICH, that the House resolve itself into a Committee of the Whole on the private calendar, on which the yeas and nays were demanded—

Mr. WASHBURN, of Illinois. I ask for tellers on ordering the yeas and nays.

Tellers were ordered; and Messrs. COX, and WASHBURN, of Illinois, were appointed.

The House was divided; and the tellers reported thirty-nine in the affirmative, (a sufficient number.)

So the yeas and nays were ordered.

The question was then taken; and there were—yeas 53, nays 37.

Congressional.

THIRTY-THIRD CONGRESS.

FIRST SESSION.

Senate—Wednesday, May 24, 1854.

Mr. SEWARD presented a number of memorials in favor of cheap ocean postage; in favor of aid to the construction of a ship canal around the Falls of Niagara, and others relating against the Nebraska bill. Among the latter, one from 105 Methodist clergymen, and also of 434 of the clergy of Michigan.

Mr. BENJAMIN presented resolutions passed by the Legislature of Louisiana, in relation to the measures now believed to be in progress for the Africanization of the island of Cuba, which were read.

Mr. BENJAMIN agreed with every word contained in these resolutions, and he believed they were fully sustained by the occurrences now taking place in Cuba; and he greatly regretted that the Senate should have been called upon to call in question the measures which his colleague [Mr. SHELLEY] had stated in his speech. He believed that after the subject had been reported to the Committee on Foreign Relations, he could state facts which would leave no doubt on the subject.

Mr. CLAYTON asked if the Senator meant that the Spanish government contemplated at this time the emancipation of the slaves.

Mr. BENJAMIN replied that he believed the event would take place at the earliest possible moment; but he could not demonstrate to a mathematical nicety the fact, but he thought he would be able, by facts sufficient to satisfy any unprejudiced mind, to show that the scheme was now in progress.

Mr. CLAYTON said he did not think the Senator would be able to make out the existence of any such design on the part of the Spanish government. Everything which came to his knowledge pointed in the opposite direction. There was no foundation for such a supposition.

Senator meant that Spain would emancipate the slaves in Cuba, in case any attempt should be made to wrest Cuba from her.

Mr. CLAYTON said that he had no objection to the House's doing so, but he thought it would be better to let the House decide for itself.

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vision was inserted in the bill by the vote of the senator from Tennessee. He referred to various circumstances which occurred among the senators and the friends of the bill during the time it was before the Senate, and held that, up to the last moment, the senator had acted with his friends, and responsible for all its provisions.

Mr. BELL commended a reply, and after speaking nearly an hour, yielding to frequent responses to questions put by him, he consented to a motion to adjourn.

And the Senate, at 5 o'clock, adjourned.

House of Representatives.

The House resolved itself into a Committee of the Whole on the state of the Union, and Mr. CLAYTON was called to the Chair.

He announced that the Pacific railroad bill was the special order for the day.

Mr. PHELPS, with the consent of his friend from California, [Mr. McDONOUGH], moved to postpone the consideration of the subject until tomorrow. This was agreed to.

WATER WORKS.

The committee then took up the Deficiency bill; the question being on concurring with the Senate on the bottom to-day; and the direction of the bill.

The discussion on that appropriation five hundred thousand dollars for the continuation of the works for supplying the cities of Washington and Georgetown was resumed.

Messrs. CHAPPEL, PERKINS, and SAGE opposed the appropriation; the latter saying the effect would be to enable property-holders to roll up millions of dollars at the expense of the general government.

Mr. SMITH, of Virginia, offered an amendment, requesting the President, previous to the expenditure of any part of the money, to enter into a contract with a responsible party, to be approved by the Senate, for the completion of the works, at a sum not exceeding \$2,500,000. He said that the District of Columbia is placed exclusively under the control of the Congress, and hence the duty of Congress to take care of its interests. Besides, the general government has a large interest here; and, therefore, a plentiful supply of water is necessary to preserve and protect the public property from fire.

Mr. HAVEN said, that if the committee should again get afloat on this water, they would hardly get bottom to-day; and, therefore, he hoped that, without further debate, they would take the question.

The amendment was voted on and rejected.

Mr. GREENWOOD, of Ohio, who was adopted, to the effect that the money should not be applied unless the corporations of Washington and Georgetown shall appropriate a proportion equal to one-fourth of the sum, to aid in the construction of the works.

Mr. STANTON, of Kentucky, offered an amendment inviting proposals for finishing the bottom to-day; and the direction of the War Department, their worst fears would be more than realized; and he adverted to the exorbitant prices paid for laying the bricks for the tunnel.

Mr. HAMILTON replied, saying that it would be economical to pass the appropriation at once; and the plan stood on a substantial basis.

Mr. STANTON'S amendment was rejected.

That of the Senate, appropriating \$500,000, as amended on motion of Mr. GREENWOOD, was non-concurred in—yeas 91, nays not counted.

LITTLE FALLS BRIDGE.

The following Senate amendment was read for the consideration of the committee.

"For the completion of the bridge across the Potomac river, at Little Falls, and painting thereon the arms of the United States, the sum of \$25,000 be and is appropriated."

Mr. PHELPS said the Committee of Ways and Means recommended a non-concurrence in this appropriation, and during the last Congress \$30,000 were appropriated for the completion of the bridge, and the committee did not feel disposed to justify a further expenditure of money